

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN F. CURRAN, III	:	CIVIL ACTION NO. 1:11-cv-2127
	:	
Plaintiff	:	(Chief Judge Kane)
	:	(Magistrate Judge Smyser)
v.	:	
	:	
CARBON SPYDER, JOHN L.	:	
MITCHELL, and RONALD WELSH	:	
	:	
Defendants	:	

O R D E R

Before the court in the captioned action is an April 25, 2012 report of the magistrate judge. No timely objections have been filed.

Accordingly, this 17th day of May, 2012, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation of Magistrate Judge Smyser.
- 2) The claims in the amended complaint against Defendant Welsh are dismissed for lack of subject-matter jurisdiction.
- 3) Defendant Welsh is terminated from this action.
- 4) Defendant Welsh's motions to dismiss (Doc. Nos. 49, 51) are denied as moot.
- 5) The case is remanded to Magistrate Judge J. Andrew Smyser for further proceedings.

s/ Yvette Kane
YVETTE KANE, Chief Judge
United States District Court